

**STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION**

COMMONWEALTH EDISON COMPANY

Application for a Certificate of Public Convenience and Necessity, pursuant to Section 8-406.1 of the Illinois Public Utilities Act, and an Order pursuant to Section 8-503 of the Illinois Public Utilities Act, to Construct, Operate, and Maintain a new 345 kilovolt transmission line in Ogle, DeKalb, Kane and DuPage Counties, Illinois

Docket 13-0657

DIRECT TESTIMONY OF JOHN TOMASCIEWICZ

1 **Q: Can you please provide your name and address.**

2 A: My name is John Tomasiewicz. My wife and I live at 1035 Riviera Drive, Elgin, Illinois.
3 The proposed transmission line will be only a few hundred feet from my front door.

4 **I. Introduction & Bowes Creek Community**

5 **Q: Can you tell the Commission a bit about yourself?**

6 A: I am 65 years old a retired member of IBEW, Local 134. I am married to the love of my life,
7 Pam, and this October, we will celebrate our 44th wedding anniversary. My wife and I grew up on
8 the Northwest side of Chicago and both of us have lived in Illinois all our lives. We have owned
9 homes in Norridge and Schaumburg before moving to Elgin, at the Bowes Creek Regency - Active
10 Adult Community. We moved here seven years ago from Schaumburg so we could live out our
11 “golden years” close to our only daughter and granddaughter, who live in Bartlett. We absolutely
12 love the Bowes Creek Community and the Elgin area.

13 **Q: What is the purpose of your testimony?**

14 A: I am opposed to the placement of overhead high voltage transmission lines in densely
15 populated areas. Particularly, the purpose of this testimony is to encourage the Commission to
16 order that ComEd bury – or underground – the proposed transmission line in the Bowes Creek
17 Country Club Area, and other densely populated areas, or to not grant the relief requested by
18 ComEd for failure to provide alternative routing.

19 **Q: Can you tell me more about the Bowes Creek Community?**

20 A: The Bowes Creek community is composed of three major areas:

- 21 1. The Masters collection; about 600 custom-built single-family homes.
22 2. The Regency Active Adult (55 and over) Community; 110 custom townhomes (carriages),
23 and about 200 custom single-family homes (Villas).

24 3. Bowes Creek Country Club; The pride and crown jewel of the Elgin Park district. The
25 award winning (ranked in the top10 public golf courses in Illinois) is home to a challenging 18-
26 hole golf course, built around Kane County Forest Preserve wetlands.

27 Please pause and give that description some thought. What you have is a property with an award
28 winning Bowes Creek Golf course, owned by the City of Elgin, open to the public, and about 900
29 households, 900 families – mothers, fathers, children, grandmothers, grandfathers, dogs, cats, and
30 so on – with over 2,000 individuals. Bowes Creek is a living, thriving community, exactly the type of
31 “planned development” that we want in Illinois. People that live, work, and pay taxes in Illinois. This
32 request to the Commission is not about power lines or poles for those lines. My intervention is
33 about people: my family, my neighbors, and their families.

34 Q: How long have you lived at Bowes Creek?

35 A: We moved here seven years ago, from Schaumburg. When Pam and I purchased our
36 home in Bowes Creek we were one of the "Baker's Dozen" - the first 13 homeowners in Bowes
37 Creek. We watched the developer, Toll Brothers, move dirt for six months; nothing was here except
38 the sales trailer. There were no models, no homes, no golf course, and no bridge at the entry.

39 Q: Where do understand that ComEd intends to put the proposed transmission line?

40 A: Commonwealth Edison Company (ComEd) wants to install high-voltage lines with their
41 associated 165-foot high support towers literally in our front yard. I can't tell you how devastating
42 this project will be to the quality of our lives and our community. If the Commission approves the
43 Gateway Project it will allow ComEd to destroy the quality of life in the Bowes Creek Community.

44 II. Concerns As To the Propose Project

45 **Q: What concerns do you have with the proposed transmission line?**

46 A: I have several concerns and these are the primary reasons that I oppose the Gateway
47 Project. They consist of impact to property values, the failure to provide an alternate route, health
48 effects, the failure to consider burying the line, and lack of notice. Further ComEd has never
49 provided me with adequate information in an easy to find place, to address any of these concerns.

50 **A. Impact to Property Values**

51 **Q: Can you tell me about your property value concerns?**

52 A: ComEd proposes high-voltage lines with 165 foot high support towers along the entire
53 northern border of our property. Not only that, ComEd has suggested that a second set of such
54 lines will be installed in the future. Can you imagine what's going to happen to our property
55 values? With approximately 900 homes in the Bowes Creek Community, current estimates are that
56 we will lose over \$75 million in property value. That equates to about \$8 Million in lost tax revenue
57 to the City and Township. The effect on property values is self-evident; ask yourself if you would
58 buy a home that has two sets of 345 kV transmission approximately two hundred feet from your
59 front door.

60 **Q: Why is this so troubling to you?**

61 A: The Bowes Creek Regency is an Active Adult Community. Active Adult is "politically
62 correct" code for Old People. Most of my neighbors and I are retired and living on a fixed income.
63 For many people, like myself, a significant portion of our wealth is tied up in our real estate.
64 Losing 10% to 30% of our home value will destroy any equity that we have in our homes. Losing
65 this equity at this time in our lives will devastate our retirement plans. In fact, the result of the
66 Gateway project will be a financial hardship for my wife, my neighbors, and myself. I have not seen
67 any document produced by ComEd that even considers Bowes Creek Regency being for elderly
68 people. The Gateway will impact elderly people at the most vulnerable point in their lives, when

69 they are on fixed incomes. Commonwealth Edison is impacting Bowes Creek residents' lives with
70 callous disregard for our financial well-being or that of our community. I am particularly concerned
71 about the impact the Gateway Project will have on the environment of the Bowes Creek area, for
72 example, the health affects on old people, people with pacemakers, cancer, the potential
73 interference with communications, data transmission, and TV and radio, all of which affect property
74 values.

75 **Q: For what other reasons do you believe that your property value will decrease?**

76 A: My property faces north, looking at a tree line that not only is beautiful in its own right, but,
77 along with a berm, hides Bowes Road and railroad tracks from sight. In fact, I paid Toll Brothers a
78 premium price for my property, for just this reason. I would not consider myself an extreme
79 environmentalist by any stretch. In fact, I was just the opposite. For example, I was the type of
80 person that used to tell people that golf was the only excuse that God had to make grass. Then
81 seven years ago we moved into Bowes Creek, and it changed my life.

82 This tree line along the easement and railroad tracks may just be an easement to ComEd but is
83 part of my life and the lives of everyone in our community. It represents a lot more than you can
84 see from ComEd's charts and maps. Depending on the season, every morning I watch hawks that
85 nest and hunt in the tree line. I see foxes, coyote, and herds of deer that depend on the tree line as
86 their east and west passage, and for their lives. Because of the tree line we see an abundance of
87 birds of every conceivable type: Blue Jays, Cardinals, Hummingbirds, etc. I have seen more birds
88 in the last seven years, than I did in my previous lifetime. Inside the tree line is a berm. It rises,
89 and then drops to the railroad right-of-way lying on the other side. It creates an approximately
90 twenty-five to thirty foot space from the top of the berm to the railroad tracks. The berm is so
91 effectively high that I can't see any trains at all when they pass.

Q: At ComEd's open houses, were you made aware of the impact that the proposed transmission line would have on the tree line and berm?

A: No. I don't think in any of ComEd's presentations that were made to my neighbors or me was it suggested that the transmission line would destroy the tree line and the berm. This beautiful environment that nurtures wildlife and looks like the original Illinois' prairieland of years gone by will be completely gone, replaced with supporting steel towers and high tension lines. The tree line that hides the railroad freight cars, and tanker cars reduces the noise from the train will be gone. Losing the tree line and the berm will devastate my environment and the value and use of my property.

B. Failure to Provide Alternate Routing

Q: What about your concerns regarding the failure to provide an alternate route?

A: Perhaps one of the most disturbing aspects to the Gateway Project is that there are no alternate routes proposed for very populated areas. Last summer I attended the ComEd open house in South Elgin; the route currently proposed in Bowes Creek has not changed at all and no alternate route is offered or suggested. ComEd takes great pride in the fact that it conducted several open houses, attended by over 20,000 people. It failed to mention it had a closed mind to the overwhelming opposition to the proposed Gateway route. Most of our community attended the open houses and in no uncertain terms expressed opposition to the Gateway path. Further, at the December 30th, 2013 Status Hearing, I asked a ComEd counsel a question to the effect of, "Why didn't ComEd consider keeping the towers north of the railroad tracks, along Bowes Creek Road, thereby avoiding the Bowes Creek residential property?" ComEd's attorney told me the reason something to the effect of "Because ComEd already owns the easement rights." To me, the response showed a complete disregard for the impact the line will have on citizens of Illinois, while

115 indicating that the real issue isn't impact to residences, but rather, what is simply easiest for
116 ComEd.

117 In fact, ComEd made statements that they have proposed alternate routes and evaluated the
118 Gateway in its entirety. ComEd fails to mention that most of the alternate routes are shown in rural
119 areas. I find it troubling that farms and rural areas seem to get more consideration relative to
120 alternate routes than populated areas. For example, DeKalb County, with population density of
121 about 140 people per square mile has proposed alternate routes. Yet more densely populated
122 areas on the eastern portion of the study area have no alternate routes. Take Elgin as an
123 example. It is the eight largest city in Illinois with a population of over 100,000 residents packed in
124 at approximately 2,911 people per square mile. Bowes Creek, having potentially over 2,000
125 people affected, has no alternate route provided.

126 One would assume that ComEd has been working on this Gateway project for years, yet it
127 provided no alternate route. ComEd then filed for authority to build the transmission line under an
128 expedited review process which essentially deprived myself, and others, in suburban and urban
129 areas from being able to create their own alternative routes for consideration and analysis.
130 ComEd's Gateway is simply "bulldozing" through communities, residential areas, schools, and
131 farms, anything in their way just because they own an easement and no affected landowners can
132 effectively put forth alternative routing in such a short time.

133 **C. Health Impacts**

134 **Q: You mention health concerns associated with above ground transmission. Please**
135 **explain.**

136 A: I survived prostate cancer, my wife is on medication for a thyroid condition, and my
137 neighbors have pacemakers, breast cancer, prostate cancer, thyroid cancer, and a host of other

ailments. We represent a typical senior community. A major concern for all residents of the Bowes Creek Community is the possible future health effects the high-powered lines will have on our health. No one can guarantee these power lines above ground are safe. ComEd, and the Commission if they approve this project, seem willing to risk the health of the residents of the Bowes Creek Community, our children, and grandchildren without considering any risk, but we are not so willing.

I ask that the Commission consider the International Commission for Electromagnetic Safety's passing of the "Benevento Resolution" resolving to institute the "Precautionary Principal" which states; "when there are indications of possible adverse effects, though they remain uncertain, the risks from doing nothing may be far greater than the risks of taking action to control these exposures. This shifts the burden of proof from those suspecting a risk to those who discount it."¹

I and my neighbors the residents of Bowes Creek suspect, and many studies indicate, that long term exposure to above ground high voltage transmission lines represents an actual health hazard, or at a minimum, an easily mitigated likely health hazard to the residents of Bowes Creek, and our families. ComEd is ignoring the potential health risk to Bowes Creek residents, our families, and others living in more densely populated areas directly adjacent to the line.

D. Burying the Line

Q: Do you have a solution to the issues you have?

A: Yes. ComEd could bury the transmission line in densely populated areas, such as the Bowes Creek area.

Q: Please explain why you believe this to be a reasonable solution.

¹*Benevento Resolution*, Int'l Comm'n for Electromagnetic Safety, http://www.icems.eu/benevento_resolution.htm (last accessed Feb. 14, 2014).

159 A: For the Gateway project ComEd proposes to install high-voltage lines just like they
160 installed cable for the past one hundred years, above ground. Apparently the technology that was
161 good for my great-grandfather is good enough for me. ComEd has failed to consider advances in
162 technology for direct burial cable. In open houses, when questioned about installing cables below
163 ground, ComEd representatives refused to give detailed cost estimates and simply stated that the
164 law required them to install the service in the least costly manner. While no testimony was put
165 forth by ComEd regarding the burial alternative – or any other alternative in my area – from my
166 experiences at open houses, I believe that ComEd may have grossly overestimated the costs of
167 burying cable, minimized the benefits in doing so, while maximizing all potential disadvantages in
168 doing so.

169 **Q: Please explain what you mean that ComEd minimizes benefits of doing so.**

170 A: We all have experienced weather-related power outages. These are nearly completely
171 mitigated by burying transmission lines. Further, concerns that others and myself have regarding
172 adverse health effects, depression of property values, and otherwise are mitigated. For example,
173 burying high voltage lines significantly reduces EMF, and thereby essentially eliminates negative
174 health effects caused by the magnetic fields except immediately above a buried line.

175 **Q: What do you mean when you say that ComEd maximizes potential issues and**
176 **overestimates costs with burying transmission line.**

177 A: When the capital, maintenance and transmission loss costs are combined over the life of a
178 line, underground high voltage lines may be on par with above ground lines. Even if there is a cost
179 increase, ComEd fails to consider the total cost, not just dollars and cents. Any increase in actual
180 monetary expenditure is more than covered by the health and property devaluation costs of

181 overhead lines. So I simply don't believe any transmission company that says it's too expensive to
182 bury high voltage power lines.

183 Without further input from ComEd, it is impossible to know how much it may have overestimated
184 the costs associated with burying a line. For one, routing along the proposed primary route may
185 not be required if the line were buried, and a more direct routing may decrease costs. Other
186 possibilities leading to increased estimates include: basing costs on use of ducts, rather than direct
187 burial; overestimation of the need for horizontal drilling; choosing more expensive cables such as
188 high-pressure, fluid filled pipe or self-contained fluid filled cabling over solid cable, cross-linked
189 polyethylene, excessive trench widths; overestimation of transition station size and equipment
190 needs; and overestimation of construction times.

191 **Q: Has ComEd buried transmission lines in the past?**

192 A: Yes. ComEd buried transmission lines in its Burnham/Taylor Phases III and IV (see ICC
193 11-0692) and the West Loop Phase II (see ICC 10-0385) projects.

194 **Q: Is it common to bury infrastructure?**

195 A: Yes. We bury sewer lines, water lines, telephone lines, electricity distribution lines, TV
196 cable, natural gas lines, oil pipelines, gas pipelines, and other petroleum product pipelines.
197 Numerous Illinois municipalities, including the City of Elgin, have passed ordinances requiring
198 underground electrical services. It is because they are more reliable, less dangerous, and simply
199 look better. Germany requires its utility governing bodies to consider undergrounding transmission
200 lines that pass near houses or housing developments.

201 **E. Notification Issues**

202 **Q: You noted that you had issues with notification in these proceedings?**

203 A: Yes. On December 27th I received the December 20th, 2013 Commerce Commission
204 letter about the December, 30th, 2013 Status Hearing. That letter was the first indication for me
205 that ComEd was moving forward with the project and presenting it to the Commission. Last
206 summer at the ComEd "open houses," my neighbors and I were repeatedly told we would have
207 months of Commission hearings before this project moved forward. Imagine my shock when at the
208 meeting we found out that ComEd filed on December 2nd for an "expedited" review process.
209 Setting aside the issue of a one-day notice for a very important meeting, I am very concerned that
210 ComEd failed to notify all landowners whose property could be affected by the Gateway project. I
211 live in a townhome that represents one third of the building. My other two neighbors, who live in
212 this exact same building, never received notification. During the past month it has become very
213 clear that only a small fraction of the Bowes Creek Community received notification. Judging from
214 the increase in the number of intervenors against the Gateway project in the last month, I don't
215 think this is an isolated incident. I think a lot of people were unaware of ComEd's intentions to push
216 this project forward with the smallest amount of opposition. I am also suspicious of the reason for
217 the expedited review process. I suggest that the notice provided was not adequate to provide
218 notice to those affected of their rights, especially under an expedited docket.

219 **III. Conclusion**

220 **Q: Do you have anything else to add?**

221 A: I respectfully request and urge the Illinois Commerce Commission to use its authority and
222 deny approval of this project as currently configured or direct ComEd to redesign or resubmit the
223 project based on an installation utilizing an alternate route and/or underground cable in all
224 residential areas. I think that ComEd has failed in its responsibility to do due diligence and
225 minimize the financial impact on local residential communities, and the environment.

226 **Q:** Does this conclude your direct testimony?

227 **A:** Yes.